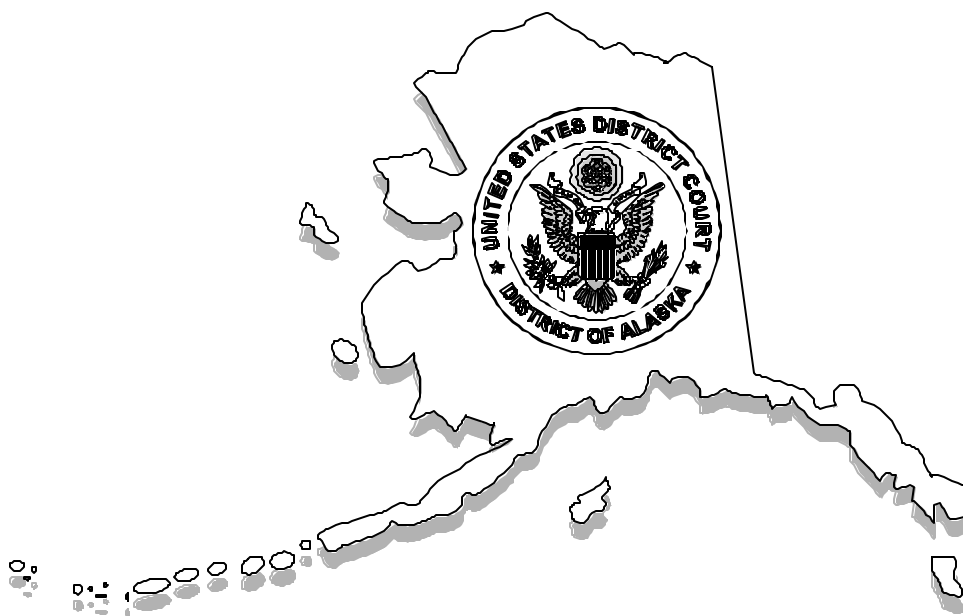


# **UNITED STATES DISTRICT COURT**

## **DISTRICT OF ALASKA**



## ***NEW ATTORNEY REFERENCE MANUAL***

**OFFICE OF THE CLERK OF COURT**

**October 2000  
Revised April 2003**

## INTRODUCTION

This reference ***Manual*** has been prepared to familiarize *new* attorneys with the administrative aspects of the U.S. District Court for the District of Alaska. This Manual is only a **guide**. It is not intended to answer questions regarding practice and is not a substitute for statutes, rules and case law. This Manual does not take the place of the Federal Rules of Civil Procedure or the Local Rules of Court. United States Code, the United States Statutes, the U.S. Reports and the Code of Federal Regulations (CFR) all can be found in either the U.S. District Court Law Library located at 222 West 7<sup>th</sup> Avenue, Anchorage, or the Alaska State Court Law Library located at 303 K. St., Anchorage.

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# **I. GENERAL INFORMATION ABOUT THE COURT**

## **A. STAFF OF THE U.S. DISTRICT COURT - DISTRICT OF ALASKA**

### **ANCHORAGE**

#### **Judges**

Chief Judge John W. Sedwick  
Judge James K. Singleton  
Judge Ralph R. Beistline  
Senior Judge James M. Fitzgerald  
Senior Judge James A. von der Heydt  
Senior Judge H. Russel Holland  
Magistrate Judge John D. Roberts  
Magistrate Judge Harry Branson

#### **Clerk's Office**

Michael D. Hall, Clerk of Court  
Ida Romack, Chief Deputy Clerk

### **FAIRBANKS**

#### **Judges**

Magistrate Judge Joseph Miller

#### **Clerk's Office**

Carolyn Bollman, Deputy in Charge

### **JUNEAU**

#### **Judges**

Magistrate Judge Philip Pallenberg

#### **Clerk's Office**

Legia Pate, Deputy in Charge

### **KETCHIKAN**

#### **Judges**

Magistrate Judge Mary Guss

#### **Clerk's Office**

Beverly Zaugg, Deputy in Charge

### **KODIAK**

#### **Judges**

Magistrate Judge Matthew Jamin

### **NOME**

#### **Judges**

None

#### **Clerk's Office**

Tracey Buie, Deputy in Charge

B. LOCATION and HOURS OF CLERK'S OFFICE

The *main* office of the Clerk of Court for the District of Alaska is located in Anchorage. In addition to the Anchorage office, the Court maintains divisional offices in: Fairbanks, Juneau, Ketchikan and Nome, all of which are staffed. All cases and subsequent filings, in person or by mail, should be in the appropriate divisional office. For civil cases filed in Anchorage, Fairbanks or Juneau, subsequent filings should be made at the original filing location. For civil cases originally filed at the Ketchikan or Nome divisional offices, subsequent documents may be filed at the main office in Anchorage for transmittal to the divisional office where the original file will be maintained. Filings are NOT to be delivered directly to the judges' chambers or mailed directly to the judge.

For filing by mail the following addresses should be used:

ANCHORAGE

U.S. District Court - Clerk's Office  
222 W. 7th Avenue Box 4, Room 229  
Anchorage, AK 99513-7564  
907-677-6130  
Office Hours: 9:00 am - 4:30 pm

FAIRBANKS

U.S. District Court - Clerk's Office  
101 12<sup>th</sup> Ave., Box 1, Room 332  
Fairbanks, AK 99701-6283  
907-451-5791  
Office Hours: 9:00 am - 4:30 pm

JUNEAU

U.S. District Court - Clerk's Office  
709 W. 9<sup>th</sup> Ave., Room 979  
Box 020349  
Juneau, AK 99802-0349  
907-586-7458  
Office Hours: 9:00 am - 4:00 pm

KETCHIKAN

U.S. District Court - Clerk's Office  
648 Mission St.  
Room 507  
Ketchikan, AK 99901  
907-247-7576  
Office Hours: 9:00 am - 1:00 pm

NOME

U.S. District Court - Clerk's Office  
Front Street, Box 130  
Nome, AK 99762  
907-443-5216  
Office Hours: 9:00 am - 4:30 pm

C. AFTER-HOURS FILING

In *Anchorage*, Documents may be filed after 4:30 p.m. by placing them in a drop box located outside the door of the Clerk's Office [room 229]. The drop box is accessible between the hours of 4:30 p.m. and 5:00 p.m., after which time the building is secured for the evening. All documents placed in the drop box after 4:30 p.m. and before 9:00 a.m. the next day will be date stamped as of the previous workday. Documents dropped after 9:00 a.m. will be date stamped that same day.

D. COURT HOLIDAYS

The Court observes the following **COURT HOLIDAYS:**

New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day., Thanksgiving Day and the Friday following, Christmas Day and Seward's Day.

E. CASE NUMBER FORMAT

All cases have distinctive numbers in the following format:

- .one letter designation of the of place where the case was filed;  
[A=Anchorage, F=Fairbanks, J=Juneau, K=Ketchikan & N=Nome]
- .two digit indicator of the year the case was filed;
- .the year is followed by a hyphen and the sequential four digit case number;
- .abbreviated CV (Civil) or CR (Criminal)-,-
- .initials of the Judge assigned to the case.

For Example:

The first civil action case number filed in Anchorage in 2002 would be  
A02-0001-CV(HRH) and is assigned to Judge H. Russel Holland.

The first criminal action case number filed in Anchorage in 2002 would be  
A02-0001-CR(HRH) and is assigned to Judge H. Russel Holland.

A miscellaneous case number is used for certain non-criminal filings not given a civil case number. Examples include: out of district subpoenas, registration of foreign judgments, receiver appointments, and attorney disciplinary proceedings. All open active cases in the district court are maintained in the Clerk's Office. After the final disposition of the case, closed cases are kept for one year or more in the Clerk's Office. Most cases closed longer than three years are maintained at the Federal Records Center in Seattle, Washington or the Records Center in Anchorage, Alaska. The Front Counter Clerk can provide the exact location of a file upon request.

F. SEARCHING FOR CASE INFORMATION

Computer terminals in the public viewing area of the Clerk's Office may be used to obtain case information. All records in the Clerk's Office are filed and retrieved by case number. If the case number is not known a *party index*, using the person's name, can be researched to identify the case number for a given plaintiff or defendant. The party index is available to the public Monday through Friday from 9:00 a.m. to 4:30 p.m.

G. PUBLIC ACCESS to COURT ELECTRONIC RECORDS (PACER)

The District Court provides Public Access to Court Electronic Records for cases filed in Anchorage, Fairbanks, Juneau, Ketchikan and Nome divisional offices. PACER provides the following case related information: civil case and criminal case lists, court calendars for the current and next day events; party name searches; case number searches. This information is available for viewing, printing or faxing. For subscription and computer set up information contact the PACER Service Center at 1-800-676-6856.

- Civil & Criminal Case List  
Access to case, party, dockets, and calendar information for specific cases.
- Court Calendar  
Provides information for the current day and the next working day.
- Party Name Search  
Find a case and party information based on partial party names.
- Case Number Search  
Locate basic case information for specific Civil and Criminal cases.

- Case List by Filing Date  
Find Civil and Criminal cases filed within specified date range.

#### H. WEB PAGE ([www.akd.uscourts.gov](http://www.akd.uscourts.gov))

The Court has established a Web Page to provide public information about the District Court. The major categories on the Web Page are Court Information, Documents, Links, Telephone Lists, Docket Information and Calendar Information. Information provided on the Web includes:

- ♦ Court Information  
Clerk's Offices Information [location, telephone numbers, hours of operation, General  
Frequently Asked Questions (FAQ)  
Court Forms  
Public Notices  
Judicial Opinions and other Chambers Publishing  
Local Court Rules  
Reference Manual
  - New Attorney Reference Manual
  - Pro Se Reference Manual
- ♦ Docketing Information  
Where you can access public information from the court database.  
The court is able to provide full docket sheet information that you can request sent to you via E-mail.
- ♦ Calendar  
The daily court calendar and next day's calendar are available via the web.

#### I. COPIES

Copies may be obtained by purchasing a copy card from the machine in the Clerk's office. Money is credited on the card and deducted when used to make copies. Additional money can be purchased and credited on the card for use at any time. Account cards may also be purchased from the Alaska Bar Association. Copies obtained in this manner cost \$.15 per page. Copies may also be obtained from the Clerk for \$ .50 per page.

#### J. FEES of the U.S. DISTRICT COURT

Fees required under 28 USC §1914 may be paid by cash, personal, or cashier's check. All checks or money order are to be made payable to Clerk of Court. The fees are shown on the Clerk's Fee Schedule which is available at the Clerk's Office or on the Court's WEB PAGE [www.akd.uscourts.gov](http://www.akd.uscourts.gov)

#### K. FINES and RESTITUTION PAYMENTS

The Front Counter Clerk processes all restitution and fine payments and will issue receipts only for fine and restitution payments accompanied by a coupon.

**L. RULES OF COURT**

Proceedings in the Federal District Court are governed by several sets of Rules of Procedure. First they are governed by the Federal Rules of Civil Procedure (FRCP) and the Federal Rules of Criminal Procedure. Next actions are governed by the Local Rules of the United States District Court for the District of Alaska, which are cited as D. AK. LR\_. These Rules may also be applied to admiralty, bankruptcy, criminal and habeas proceedings. There are specific Local Rules for admiralty, criminal bankruptcy and magistrate proceedings. The specific Rules, rather than the Federal Rules of Civil Procedure or the Local Rules, may be applicable so all Rules should be reviewed. The Local Rules may be viewed or downloaded from the USDC-District of Alaska Web Page located at [www.akd.uscourts.gov](http://www.akd.uscourts.gov)

**II. OTHER FEDERAL AGENCIES**

Federal Public Defender's Office	(907) 646-3400
Probation and Pretrial Services Office	(907) 271-5492
U.S. Marshal's Office	(907) 271-5154
U.S. Attorney's Office	(907) 271-5071
Ninth Circuit Law Librarian	(907) 271-5655

**III. OTHER MISCELLANEOUS AGENCIES**

Alaska Bar Association	(907) 272-7469
Alaska Court System	(907) 264-0548
Alaska Legal Services	(907) 272-9431
Alaska Pro Bono Program	(907) 565-4300
Office of Public Advocacy	(907) 269-3500
State Attorney General's Office	(907) 269-5100
State Public Defender Office	(907) 264-4400
State District Attorney's Office	(907) 269-6300
State Law Library	(907) 264-0583



#### **IV. SUMMARY OF FILING REQUIREMENTS:**

- ! all documents must be on 8 ½ X 11 inch paper at least 16 lb. And two holes punched at the top center of the page.
- ! an Original and One copy of ALL documents is required.
- ! use 1-inch top and bottom margins and 1-inch margins on the sides.
- ! all text must be double or one-and-one-half spaced, except for quotations [indent], footnotes and title page, which may be single-spaced.
- ! the space to the right center [above the title of court] must be left blank for court markings.
- ! the title page must begin 1 ½ inches from the top of the page and include: name, address, telephone and fax numbers of the appearing attorney placed left of the center of the page. Include the party the attorney represents.
- ! the typed name of the judge is to be placed underneath the signature line on all orders.
- ! the names of all parties must be included on original pleading and summons only.
- ! place file number [including judge's initials after case number], brief nature of document, and nature of relief sought to the right center below the case number.
- ! all printed matter must be in at least 11-point type, ten-pitch.
- ! use only one side of the paper.
- ! complaints must be accompanied by civil cover sheet, Form AO-JS44, notice of related cases [if applicable], and applicable filing fee.
- ! place name of party the attorney represents under the attorney's signature line on pleading.
- ! all amended documents must be retyped entirely [attach to motion to amend].
- ! certificate of service must be reflected on the document served, rather than on a separate pleading.
- ! do not file discovery documents unless requested by the court.
- ! when responding to interrogatories or requests for admissions, repeat verbatim each query, and then set out response.
- ! depositions are not routinely filed.
- ! a proposed order must be filed with non-dispositive motions.
- ! the court may require that a proposed order for a dispositive motion be filed on a disk in a format compatible with the court's computer system.
- ! principle briefs or memoranda shall not exceed 50 pages and replies shall not exceed 25 pages, exclusive of tables of contents, citations, reproductions of statutes, rules, regulations, ordinance, etc.
- ! opposition to a motion will be filed within 15 days of service of the motion.
- ! a reply is optional and must be filed within 5 days of service of the opposition.
- ! exhibits must be numbered progressively at the bottom of the page with the exhibit identified [e.g., "Page 3, Exh. C" or "Exh. C Page 3"].
- ! bulky exhibits must clearly show case number, document number and title.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

IN THE MATTER OF	)	
Filing Complaint and Subsequent	)	MISCELLANEOUS
Documents in District Court Subsequent	)	GENERAL ORDER
Replaces MGO 828 which is stricken	)	NO. 834
_____	)	

**Miscellaneous General Order MGO 828 is stricken and replaced by MGO 834**

In accordance with Local Rule 3.2, Venue and Place of Trial, a civil or criminal action may be filed in any of the five locations mentioned in 28 U.S.C. 381 A. The purpose of this order is to establish where complaints and other papers may be presented for filing with respect to these five locations.

Anchorage: For Anchorage venue cases, complaints and subsequent papers must be presented for filing in Anchorage.

Fairbanks: For Fairbanks venue cases, complaints and subsequent papers must be presented for filing in Fairbanks or Anchorage.

Juneau: For Juneau venue cases, complaints and subsequent papers must be presented for filing in either Juneau or Anchorage.

Ketchikan: For Ketchikan venue cases, complaints and subsequent papers must be presented for filing in Ketchikan or Anchorage.

Nome: For Nome venue cases, complaints and subsequent papers must be presented for filing in Nome or Anchorage.

DATED this 4<sup>th</sup> day of February 2000, at Anchorage, Alaska